

**PATENT** 

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Julio Cesar Aguilar Rubido et al

Serial Number: 09/857,402

Filed: June 1, 2001

Int'l. Appl. No.: PCT/CU99/00006

Int'l. Filing Date: December 1, 1999

For:

PREPARATIONS CONTAINING

VIRUS-LIKE PARTICLES AS IMMUNOPOTENTIATORS ADMINISTERED THROUGH

THE MUCOSA

Assistant Commissioner for Patents

Washington, DC 20231 BOX: MISSING PARTS Examiner: Unassigned

Group Art Unit: Unassigned

Docket No.: 976-11PCT/US

Date: September 14, 2001

I hereby certify this correspondence is being deposited with the United States Postal Service as first class mail, postpaid in an envelope, addressed to:
Assistant Commissioner for Patents, Washington, D.C.

20231 on <u>September 14, 2001</u>

Dated: 9/14/01 / Cara M. Bry

## RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS <u>UNDER 35 U.S.C. §371 AND</u> <u>CLAIM OF SMALL ENTITY STATUS</u>

Dear Sir:

In response to the Notification of Missing Requirements under 35 U.S.C. §371 of the patent application identified above dated 19 July 2001, we submit herewith (1) Declaration and Power of Attorney executed by the inventors, (2) Certified Translation of Cuban Patent Application 193/98 and (3) our check in the amount of \$65.00 for submission of the declaration after twenty or thirty months from priority date. A copy of Form PTO-1533 is also enclosed, as required.

Applicants note that fees are payable as a small entity, such status of which is hereby claimed.

09/21/2001 SNAJARRO 00000051 09857402

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65.00 OP

The Commissioner is hereby authorized to charge any additional fees or credit any overpayment associated with this communication to our Deposit Account Number 08-2461.

Respectfully submitted,

Algis Anilionis, Ph.D.

Registration Number 36,995

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AA/cb

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Commissioner for Patents, Box PCT United States Patent and Trademark Office Washington, D.C. 2023

		www.
U.S. APPLICATION NO.	FIRST NAMED APPLICANT	ATTY, DOCP,ET NO.
09/857402	AGUILAR RUBIDO	J 976-11 PCT/U
	•	INTERNATIONAL APPLICATION NO.
RONALD J BARON		PCT/CU99/00006
HOFFMANN & BARON 6900 JERICHO TURNPIKE		I.A. FILING DATE PRIORITY DATE
SYOSSET, NY 11791	JUL 4 3 2001	01 DEC 99 02 DEC 98
	5 - 5 P. P. C.	DATE MAILED: 19 JUL 2
NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)		
	submitted by the applicant or the IB to the U	
Office as a Designated	Office (37 CFR 1.494) gal all Elected Offi	ice (37 CFR 1.495):
U.S. Basic National Fe	e. Indication of Small E	Entity Status.
Copy of the internation		ternational application into English. e 19 amendments into English.
Oath or Declaration of Copy of Article 19 ame		e 19 anicionicaes mo English.
Priority Document.		
The International Prelim	ninary Examination Report in English and i	
[7] Translation of Annexes	to the International Preliminary Examination	on Report into English.
2. Applicant has requested early processing under 35 U.S.C. 371(f) but has not filed the following indicated items and/or the indicated items in paragraph 3 below. The Basic National Fee and the copy of the international application must be filed		
prior to 20 or 30 months from the pr		y or the international approaction must be rised
U.S. Basic National Fe		onal application.
3. The following items MUST be for acceptance under 35 U.S.C. 371:	urnished within the period set forth below i	n order to complete the requirements for
a. Translation of the ap	plication into English. A processing fee wi	ill be required if submitted
	opriate 20 or 30 months from the priority of ation is defective for the reasons indicated of	
Translation.	alon is delective for the reasons indicated t	on the attached reside of Descente
☐ b. Processing fee for providing the translation of the application and/or the Annexes later than the		
appropriate 20 or 30 months from the priority date (37 CFR 1.492(i)).  [X] c. Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), properly identifying		
the application (preferably by the International application number and international filing date). A		
surcharge will be	required if submitted later than the appropr	iate 20 or 30 months from the priority
date.  The current oath o	or declaration does not comply with 37 CFF	R 1.497(3) and (b) for the reasons
indicated on the at	tached PCT/DO/EO/917.	•
	ling the oath or declaration later than the ap	opropriate 20 or 30 months from the
priority date (37 C 4. Additional claim fees of \$	FR 1.492(e)).  as a ☐ large entity ☐ small entit	ty, including any required multiple dependent
	nust submit the additional claim fees or can	ncel the additional claims for which fees are
due (37 CFR 1.492(g)). See attache	d PTO-875.	
5.     Applicant has not submitted th	ne required sequence listing pursuant to 37	CFR 1.821-1.825. See attached
PCT/DO/EO/920.		
MONTHS FROM THE DATE OF	E APPLICATION, WHICHEVER IS LA	THS (where 37 CFR 1.495 applies) FROM
The time period set above may be ex 1.136(a).	tended by filing a petition and fee for exten	nsion of time under the provisions of 37 CFR
Annexes will be cancelled. A proces	ssing fee will be required if submitted later e cancelled since a translation was not pro-	d no later than the time period set above or the than 20 or 30 months from the priority date. wided by the appropriate 20 (37 CFR 1.494(d))
Applicant is reminded that any commaddress given in the heading and incl	nunication to the United States Patent and T hude the U.S. application no. shown above.	Frademark Office must be mailed to the . (37 CPR 3.5)
A come of	this notice MUST be returned	with this response.
Enclosed: PCT/DO/EO/917	Notice of Defective Translation	
□ PTO-875	PCT/DO/EO/920	Anita D. Johnson
FORM PCT/DO/EO/905 (March 20		e: 703-305-3661